**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN**
**AT JAIPUR BENCH, JAIPUR**

**O R D E R**

**S.B. Civil Second Appeal No.530 Of 1999.**

**State Bank of Bikaner & Jaipur, Karauli**

**Versus**

**Smt. Kusum Lata and Others.**

**Date Of Order ::: 26.10.2006.**

**Hon'ble Mr. Narendra Kumar Jain J.**

Mr. G.K. Garg and
Mr. Saransh Saini, Counsel for plaintiff-appellant.
Mr. J.P. Goyal Counsel for the defendant-respondents

**By the Court :**

Heard learned counsel for both the parties.

The plaintiff-appellant filed a suit for permanent injunction in the Lower Court, which was decreed and the defendant was restrained for not raising any construction on the disputed property without getting the plaintiff evicted in accordance with the provisions of law. Being aggrieved with the same, an appeal was preferred by the defendant No.3,

which was partly allowed by the First Appellate Court.

I have considered the submissions made by learned counsel for both the parties and after considering their submissions in the light of the judgments and decrees passed by both the Courts below, I find that the controversial issues involved in the present case are relating to the question of facts and there is a finding of the First Appellate Court in this regard, which cannot be interfered with by this Court in second appeal under Section 100 of the Code of Civil Procedure, 1908.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at the admission stage itself with no order as to costs.

**(Narendra Kumar Jain) J.**

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